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CLERK OF COURT
BY: [Signature]

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

Thomas A. Dillon, Independent Fiduciary
Of Employers Mutual Plans,

Plaintiff,

v.

Gary A. Bastie, et al.

Defendants.

CASE NO. CV-N-03-0119-HDM-VPC

**Defendant Gary Bastie's Response To
Court Order and Accompanying
Information of March 26, 2003**

To follow is input requested by Mr. Brace with respect to a pre-trial conference. This will include Mr. Bastie's response to the Court Order of March 26, 2003 and the additional attachments and information accompanying the Court Order as sent by Attorney Robert Brace. Be it known that Mr. Bastie is also accompanying this response with the information requested in the four interrogatories in the original Court Order as requested in the Court Order and to the best of his ability and according to information taken directly from files maintained for the Employers Mutual clients mentioned in the Court Order.

Grounds For This Response

1. Although Mr. Bastie has been ordered to and is complying with the March 26, 2003 Court Order following the hearing with Magistrate Judge Cook, Mr. Bastie, as would any conscientious insurance agent, objects to having to list Social Security numbers, names, addresses, and phone numbers of Employers Mutual Clients. This information is being requested by the court, without the written consent of these individuals of whom files have been kept. This, in Mr. Bastie's understanding of HIPAA, does not allow for any client to have protection of their right, under the HIPAA Laws as currently written, to confidentiality and privacy. Should any of this information become public record, Mr. Bastie should be absolved of any liability in that he complied with the Court Order rather than withhold this information on behalf of these individuals and their families.
2. Mr. Bastie, and perhaps others, cannot afford any Mediator's fees or other additional fees whatsoever at this time. Due to budgetary constraints, there are no funds available at all. This places Mr. Bastie at an economic disadvantage since Mr. Dillon has fees allotted to him and has not had to use his own funds. Mr. Bastie is placing the court on notice of his economic situation.
3. Mr. Bastie, and perhaps others, cannot afford the services of any attorney nor can he afford to "co-op" with any attorney. This is being stated as a matter of fact and for the record. This is an economic disadvantage and therefore a legal disadvantage for Mr. Bastie, and perhaps others. Mr. Bastie wishes to place the court on notice of this fact.
4. Mr. Bastie, and perhaps others, objects to any use of "one common attorney" to serve the various and different needs of the entire list of Defendants. Mr. Bastie believes that no

one person is qualified, that no one person has all the facts, that any additional expense, time, travel, etc. is not realistic in attempting to work with "one common attorney". How one attorney would be capable of coordinating the various needs of hundreds of defendants is a question to Mr. Bastie and something he is gravely concerned about. This places Mr. Bastie, and perhaps others, at a disadvantage in defending himself.

5. The venue of Reno, Nevada makes use of time difficult since Mr. Bastie is 3 time zone hours removed from that location. Mr. Bastie cannot afford to travel such a distance, rent hotel/motel space, and pay for his own meals and transportation. This places Mr. Bastie, and perhaps others, at a disadvantage in defending himself.

6. The venue of Reno, Nevada is far removed from any of the Employers Mutual clients Mr. Bastie would have come in contact with. This places these individuals, their wishes and interests as a lower priority as a result.

7. The venue of Reno, Nevada is far removed from any agents Mr. Bastie could have contacted personally. Mr. Bastie himself, and others included are at a disadvantage in defending themselves as a result of this.

8. Mr. Bastie objects to the one-sided discovery thus far in this case. Mr. Bastie is trying to defend himself with both hands tied behind his back.

9. When Mr. Bastie asked Magistrate Judge, Valerie Cook about being contacted for telephonically attending the pre-trial conference for August 26, 2003, Judge Cook stated, in the meeting concerning Objections on July 21, 2003, that "...the clerk of the court will, uh I assume, Judge McKibben's clerk, deputy court clerk, will have all of the telephone numbers for parties, just as my court clerk did and she will make those arrangements sir,

and be in touch with you. Mr. Bastie. Today's date is August 11, 2003, and no one has contacted Mr. Bastie as of yet.

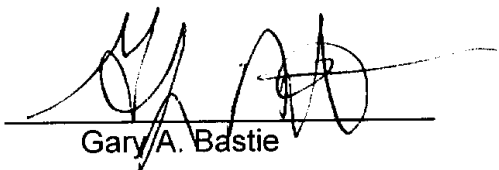
10. When placed on notice concerning certain tactics being used by Mr. Brace appearing to be fraudulent and attempting to use the color of law to procure money, Judge Cook struck from the record Mr. Bastie's notice. It would seem that any court would be the least bit interested in investigating the allegations and complaints as to these serious events.

11. Mr. Bastie objects (input was requested) to Mr. Brace's drafted Preliminary Report in its entirety and objects to the court accepting it in any form at this time. Mr. Brace's Case Management Order is objectionable on its face.

Conclusion

The responses of Mr. Bastie were requested by Mr. Brace in his accompanying paperwork and Court Order of March 26, 2003 and therefore should be considered either prior to or during the August 26, 2003 conference with Judge McKibben.

Prepared and submitted by:


Gary A. Bastie

Certificate of Service

I, Gary A. Bastie, certify that August 12, 2003, I mailed a true and correct copy of the above and foregoing response via first class mail to:

Robert L. Brace
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and

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